IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1851 OF 2005

Mohammed Hanif Shafiq Mujawar & Ors....Applicants

Versus

Mohd.Munnawar Md.Husain Khan & Ors. ...Respondents

.....

Mr.M.Amin H.Solkar for Applicants.

Mr.Sunil Shirsat for Respondent No.2.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent No.3.

.....

CORAM: A.M.KHANWILKAR, J.

MARCH 31, 2005.

P.C.

1. Heard.

2. I see no reason to interfere with the nature of order passed by the Principal Judge of the Court of Sessions for Greater Bombay.

3. The grievance that the order has been passed without notice to the Applicants is belied by the stand taken in Paragraph 4 of the

Application. The Applicant therein had attempted to serve copy of the application, but service was declined by the Advocate for the concerned accused. Besides, the matter was notified on the Board of the Principal Judge. No appearance was made before the Principal Judge at the hearing of the application.

4. In any case, I see no reason to interfere with the order, for the reasons recorded by the Principal Judge, including that the concerned Judge had already examined five witnesses and only evidence of the Investigating Officer remained to be adduced. That is good consideration for retaining the assignment of that particular case with the concerned Judge. Dismissed.

A.M.KHANWILKAR, J.